

✓  
May 17, 1949

Mr. Wilford R. Richardson  
County Attorney  
Graham County  
Safford, Arizona

**LAW LIBRARY  
ARIZONA ATTORNEY GENERAL**

Dear Rene:

In reply to your letter of May 13, 1949, requesting an answer to the following question:

"May the Gila Junior College Board use the money now in their building fund to purchase a house for school purposes without an election?"

You are advised that Section 54-708, ACA 1939, gives the powers of the Board as follows:

"Except as otherwise provided, the powers and duties of the junior college board shall be such as are prescribed by law for high school boards. \* \* \*"

We find no place wherein the college board has been given any such powers regarding this question other than that given to high school boards. Referring to high school boards, Section 54-907, ACA 1939, we find that the high school board has the following powers:

"\* \* \* For the management of high schools, the board shall have all the powers and duties vested in school trustees. \* \* \*"

This requires us then to refer to Section 54-416, which gives the powers and duties of trustees, and reading from Sub-section 3 of this section we have:

"\* \* \* when directed to do so by a vote of the district, construct school buildings, or purchase or sell school sites; \* \* \*"  
(Emphasis Supplied.)

and that is upon a vote of the people.

It appears to us that the law is so plain that we cannot interpret it otherwise than just as it reads, that is, that an election will be necessary.

Very truly yours,

FRED O. WILSON, Attorney General  
CHAS. ROGERS, Assistant Attorney General

CR:mg